



SECRETARIAT

AS/Jur (2017) CB 08

15 November 2017

## To the members of the Committee on Legal Affairs and Human Rights

### Synopsis of the meeting held in Paris on 13 November 2017

The Committee on Legal Affairs and Human Rights, meeting in Paris on 13 November 2017, with Ms Olena Sotnyk (Ukraine, ALDE) in the Chair, as regards:

- **Opinion on the Draft Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 108) and its Explanatory Report (Rapporteur: Mr Raphaël Comte, Switzerland, ALDE):** considered and unanimously adopted an opinion;
- **Motions for resolution:** on the basis of Rule 25.2 of the Rules of Procedure, adopted the following motions for resolutions to be tabled on behalf of the Committee: “Sergei Magnitsky and beyond – fighting impunity by targeted sanctions” and “New challenges in the fight against organised crime and money laundering – the need to improve international cooperation”; and asked the Chair to invite the President of the Assembly to pursue the fast-track procedure for these motions to allow their consideration at the upcoming Bureau and Standing Committee meetings in Copenhagen;
- **The case for drafting a European Convention on the profession of lawyer (Rapporteur: Ms Sabien Lahaye-Battheu, Belgium, ALDE):** held a hearing with the participation of Mr Khalid Baghirov, Azerbaijani lawyer, Baku, Azerbaijan, Mr Milan Antonijevic, Director of YUCOM, Lawyers’ Committee for Human Rights, Belgrade, Serbia, and Mr Florian Irminger, Human Rights House Foundation’s Head of Advocacy, Geneva, Switzerland;
- **Fighting organised crime by facilitating the confiscation of illegal assets (Rapporteur: Mr Mart van de Ven, Netherlands, ALDE):** held a hearing with the participation of Mr Pedro Pérez Enciso, Senior Prosecutor, International Cooperation Unit, Prosecutor General’s Office, Madrid, Spain;
- **Legal challenges related to the hybrid war and human rights obligations (Rapporteur: Mr Boriss Cilevičs, Latvia, SOC):** held a hearing with the participation of Mr Andrey L. Kozik, Associate Professor, Secretary-General of International Law and Arbitration Association, Belarus, Mr Robin Geiß, Professor, Chair of International Law and Security, University of Glasgow School of Law, United Kingdom and Mr Aurel Sari, Senior Lecturer in Law, Director of the Exeter Centre for International Law, University of Exeter Law School, United Kingdom;
- **Procedure for appointment of rapporteurs:** agreed to appoint rapporteurs at the meeting following reception of references from the Bureau, without making a call for rapporteurs at an intervening meeting (this new procedure to take effect as of the next meeting);

– **Appointment of rapporteurs:**

**For report:**

**How can inappropriate restrictions on NGO activities in Europe be prevented?:** appointed Mr Yves Cruchten (Luxembourg, SOC) in his absence, subject to his making a declaration of absence of conflict of interest at a future meeting;

**For opinion:**

**The legal and practical requirements for extra-territorial processing of asylum claims (Rapporteur for the Committee on Migration, Refugees and Displaced Persons: Mr Domagoj Hajduković, Croatia, SOC):** appointed Mr Egidijus Vareikis (Lithuania, EPP/CD) in his absence, subject to his making a declaration of absence of conflict of interest at a future meeting;

– **Call for rapporteurs:** a call was made for candidates for rapporteur for the following reports:

*Human rights situation in the occupied regions of Georgia*

*Protecting human rights during transfers of prisoners*

*Out-of-court settlement procedures in criminal justice: advantages and risks*

*Ensuring greater follow-up of CPT recommendations: enhanced role of the Parliamentary Assembly and of national parliaments*

*Withdrawing citizenship as a measure to combat terrorism: a human rights-compatible approach?*

*The principles and guarantees of advocates*

*Human rights and business – what follow-up to Committee of Ministers Recommendation CM/Rec(2016)3?*

*Ombudsman Institutions in Europe – the need for a set of common standards*

*The continuing need to restore human rights and the rule of law in the North Caucasus region*

– **Participation of members in conferences, meetings, seminars etc:** heard a report by Mr Sergiy Vlasenko (Ukraine, EPP/CD) on the 77<sup>th</sup> plenary meeting of the Intergovernmental Group of States against Corruption (GRECO) held in Strasbourg on 16-20 October 2017 and a report by Ms Sabien Lahaye-Battheu (Belgium, ALDE) on the National Convention of the French Conseil National des Barreaux held in Bordeaux, France on 18-21 October 2017;

– **Other business:**

- **Sub-Committee on Human Rights:** agreed to the proposals of the following delegations:

Azerbaijan: to appoint Mr Muslum Mammadov (GDL) as alternate to Mr Vusal Huseynov (EPP/CD)

Croatia: to appoint Mr Domagoj Hajduković (SOC) as alternate to Mr Davor Ivo Stier (EPP/CD)

France: to appoint Mr Fabien Gouttefarde (NR) (replacing Mr Yves Pozzo di Borgo (EPP/CD)) as alternate to Ms Alexandra Louis (NR)

Germany: to appoint Mr Frank Schwabe (SOC) as alternate to Mr Harold Petzold (UEL)

Luxembourg: to appoint Mr Yves Cruchten (SOC) as alternate to Ms Anne Brasseur (ALDE);

Following a call for candidatures agreed that the three vacant seats would be filled<sup>1</sup>, in accordance with Rule 49.2, by the following members: Mr Rustam Makhmudyan (Armenia, EPP/CD), Ms Sirkka-Liisa Anttila (Finland, ALDE) and Mr Daniel Milewski (Poland, EC);

Took note that Mr Sylvain Waserman (France, ALDE) and Mr Georgis Psychogios (Greece, UEL) would be added to the waiting list;

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<sup>1</sup> Subject to the imminent renewal of the United Kingdom delegation.

Noted the importance of attendance by members or alternates of this Sub-committee at the forthcoming meeting on 12 December 2017 when interviews are to be conducted with candidates for the post of Commissioner for Human Rights of the Council of Europe (full list of members and alternates attached in the appendix);

- **Next meetings:** took note of the forthcoming meetings and confirmed its meeting on 14 March 2018 in Paris.

*Plenary Committee:*

- Paris, 12 December 2017 (Council of Europe Office)
- Strasbourg, during the Assembly's 1<sup>st</sup> part-session of 2018 (22-26 January 2018)
- Paris, 14 March 2018 (Council of Europe Office)
- Strasbourg, during the Assembly's 2<sup>nd</sup> part-session of 2018 (23-27 April 2018)
- Place and date in May 2018 to be confirmed, (subject to approval by the Bureau and the availability of funds)
- Strasbourg, during the Assembly's 3<sup>rd</sup> part-session of 2018 (25-29 June 2017)
- Paris, 10 September 2018 (Council of Europe Office) (to be confirmed)
- Strasbourg, during the Assembly's 4<sup>th</sup> part-session of 2018 (8-12 October 2018)
- Paris, 12 November 2018 (Council of Europe Office) (to be confirmed)
- Paris, 11 December 2018 (Council of Europe Office) (to be confirmed)

Günter Schirmer, David Milner, Agnieszka Szklanna, Isild Heurtin

Copy to:

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Secretaries of National Delegations and of Political Groups of the Assembly  
Secretaries of Observer and Partner for Democracy delegations  
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Director of the Office of the Commissioner for Human Rights  
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**Committee on Legal Affairs and Human Rights**  
**Commission des questions juridiques et des droits de l'homme**

**Sub-Committee on Human Rights (29 seats) @ 13.11.2017**  
**Sous-commission des Droits de l'Homme (29 sièges) @ 13.11.2017**

**List of members**  
**Liste des membres**

<u>Titular member / Membre titulaire</u>			<u>Alternate member / Membre remplaçant</u>	
1.	Mr SHARMA Virendra (Chair/Président)	United Kingdom / Royaume-Uni	Mr	BYRNE Liam
2.	Mr OMTZIGT Pieter (Vice-Chair / Vice-Président)	Netherlands/Pays-Bas		
3.	Mr AIELLO Ferdinando	Italy/Italie	Ms	BERNINI Anna Maria
4.	Ms ANTTILA Sirkka-Liisa	Finland/ Finlande		
5.	Mr ARNAUT Damir	Bosnia and Herzegovina/ Bosnie- Herzégovine		
6.	Mme BRASSEUR Anne	Luxembourg	Mr	CRUCHTEN Yves
7.	Ms CHUGOSHVILI	Georgia / Géorgie		
8.	Mr DİSLİ Şaban	Turkey/ Turquie	Ms	ŞAHIN USTA Leyla
9.	Mr EFSTATHIOU Constantinos	Cyprus / Chypre	Ms	EROTOKRITOU Christiana
10.	M. GERMANN Hannes	Switzerland/Suisse	Mr	COMTE Raphaël
11.	Ms GORGHIU Alina-Ştefania	Romania/Roumanie	Mr	CORLĂŢEAN Titus
12.	Mr. GUTIÉRREZ LIMONES Antonio	Spain/ Espagne		
13.	Mr HANZEK Matjaž	Slovenia/ Slovénie		
14.	Ms HÜBINGER Anette	Germany/Allemagne	Mr	WADEPHUL Johann
15.	Mr HUSEYNOV Vusal	Azerbaijan/ Azerbaïdjan	Mr	MAMMADOV Muslum
16.	Mr IBRAHIMOVIC Ervin	Montenegro/ Monténégro		
17.	Ms LIBINA-EGNERE Inese	Latvia/Lettonie	Mr	CILEVIČS Boriss
18.	Mr LOGVYNSKYI Georgii	Ukraine		
19.	Mme LOUIS Alexandra	France	M.	GOUTTEFARDE Fabien
20.	Mr MAKHMUDYAN Rustam	Armenia/ Arménie		
21.	Mr MILEWSKI Daniel	Poland/ Pologne		
22.	Mr PETZOLD Harold	Germany / Allemagne	Mr	SCHWABE Frank
23.	Ms RIBERAYGUA Patricia	Andorra / Andorre		
24.	Ms ROJHAN GUSTAFSSON Azadeh	Sweden/Suède	Mr	GUNNARSSON Jonas
25.	Mr STIER Davor Ivo	Croatia/ Croatie	Mr	HAJDUKOVIĆ Domogoj
26.	Mr TZAVARAS Konstantinos	Greece / Grèce	Mr	VENIZELOS Evangelos
27.	Mme van VAERENBERGH Kristien	Belgium / Belgique	Mme	LAHAYE-BATTHEU Sabien
28.	Mr VAREIKIS Egidius	Lithuania / Lituanie	Mr	ZINGERIS Emanuelis
29.	Mr YEMETS Leonid	Ukraine		

*ex officio*: Chairperson of AS/Jur, Ms Olena SOTNYK

**Waiting list:**

France: M. Sylvain Wasserman (ALDE)  
Greece: Mr Georgios Psychogios (UEL)